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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**  
8

9 CORAZON F. AGUDO,

10 Plaintiff,

11 vs.

12 COUNTRYWIDE HOME LOANS AND BANK  
OF AMERICA, et al.,

13 Defendants.  
14

CASE NO.: 2:10-cv-00172-PMP-LRL

**MOTION FOR WITHDRAWAL OF  
COUNSEL**

15 Pursuant to Local Rule of the United States District Court, Nevada IA 10-6(b),  
16 Diana S. Erb of the law firm of Akerman Senterfitt LLP hereby moves for leave to  
17 withdraw from continued representation of COUNTRYWIDE HOME LOANS AND BANK  
18 OF AMERICA ("BOA") and RECONTRUST.

19 This Motion is made and based upon the below Memorandum of Points and  
20 Authorities and all of the pleadings and papers on file herein.

21 **MEMORANDUM OF POINTS AND AUTHORITIES**

22 1. Nevada Rules of Professional Conduct ("NRPC") 1.16(b) states "... a  
23 lawyer may withdraw from representing a client if: ... (1) Withdrawal can be accomplished  
24 without material adverse effect on the interests of the client; or (7) Other good cause  
25 exists. See Nev. R. Prof. C. 1.16(b)(1) and (7).

26 2. Furthermore, "[a] lawyer must comply with applicable law requiring notice to  
27 or permission of a tribunal when terminating representation." *Id.*

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1           3. Pursuant to LR IA 10-6(b), "[n]o attorney may withdraw after appearing in a  
2 case except by leave of court after notice served on the affected client and opposing  
3 counsel."

4           4. Diana S. Erb requests permission to withdraw because she is no longer  
5 employed with the law firm of Lewis and Roca LLP. She is now an attorney with the law  
6 firm of Akerman Senterfitt LLP.

7           5. The law firm of Lewis and Roca LLP, specifically, J. Christopher Jorgensen,  
8 will remain representing BOA and RECONTRUST. Therefore, withdrawal of Diana S.  
9 Erb can be accomplished without material adverse effect on the interests of BOA and  
10 RECONTRUST.

11           6. Diana S. Erb respectfully requests this Court grant her Motion to Withdraw  
12 as Counsel, thereby removing Diana S. Erb from all e-filing and mailing service lists,  
13 effective immediately.

14           DATED this 28th day of June, 2010.

AKERMAN SENTERFITT LLP

15           /s/ Diana S. Erb  
16           DIANA S. ERB  
17           Nevada Bar No. 10580  
18           400 South Fourth Street, Suite 450  
19           Las Vegas, Nevada 89101

20           IT IS SO ORDERED.

21             
22           UNITED STATES DISTRICT JUDGE

23           Dated :    June 29, 2010

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that, on the 28th day of June, 2010 and pursuant to FRCP 5(b), I served via CM/ECF a correct copy of the foregoing **MOTION FOR WITHDRAWAL OF COUNSEL**, to all parties through the U.S. District Court's CM/ECF system.

/s/ Danielle Kelley  
An employee of AKERMAN SENTERFITT LLP

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